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S.B. CIVIL WRIT PETITION NO.5829/2005.
Mukesh Bhatt & Ors. Vs. State & Ors.

Date of Order :: 4th October 2007.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. Arjun Purohit, for the petitioners.
Mr. Rameshwar Dave, Deputy Government Advocate.

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Though the mater is listed for orders on application for early hearing of the case, on the submissions of the learned counsel, the matter is taken up for final disposal.

Learned counsel for the parties are ad idem that this writ petition has become redundant for the reason that the State Government has proceeded to pass an order dated 07.09.2007 whereby the reliefs prayed for by the petitioners in this writ petition have already been granted.

Learned Deputy Government Advocate has placed for perusal the said order dated 07.09.2007 that has been made applicable in relation to the Gram Sevaks appointed after passing the examination conducted in the year 1999. It is not in dispute that the present petitioners answer to the description of the employee contemplated by the order aforesaid. The operative portion of the order dated 07.09.2007 reads as under:-

"माननीय उच्च न्यायालय में ग्राम सेवकों को वेतनमान देने संबंधी संभावित अनावश्यक लिटिगेशन को रोकने हेतु शेष बचे 1428 ग्राम सेवक पदेन सचिवों को भी न्यायालय के उपरोक्त निर्णयानुसार राज्य सरकार द्वारा वित्तीय लाभ देने का निर्णय लिया गया है, अत: शेष 1428 ग्राम सेवक एवं पदेन सचिवों को प्रथम कार्य ग्रहण तिथि से दिनांक 1.6.02 अथवा स्थाईकरण तिथि तक जो भी बाद में हो, नियमित वेतन श्रृंखला 3200-4900, में काल्पनिक रूप से रूपये 5000/- पर वेतन निर्धारण किये जाने तथा दिनांक 2.06.02 से अथवा स्थाईकरण की तिथी यदि वह बाद में हो तो उक्त तिथि से वेतन निर्धारण एवं वेतन वृद्धि का नगद लाभ दिये जाने की स्वीकृति प्रदान की जाती है ।

वर्ष 1999 में ग्राम सेवक पदेन सचिवों की आयोजित लिखित परीक्षा में सफल एवं नियुक्त ग्राम सेवक पदेन सचिवों को ही उक्त निर्णय अनुसार वेतन निर्धारण एवं वेतन वृद्धि का उपरोक्तानुसार लाभ देय होगा ।"

In view of the stand taken by the learned Deputy Government Advocate on behalf of the State Government, it is apparent that the reliefs as claimed in this writ petition stand already granted to the petitioners and no further cause survives for consideration in this writ petition that is practically rendered redundant.

With the observations aforesaid, the writ petition is dismissed as redundant. No costs.

(DINESH MAHESHWARI), J.

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